



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION 10**

1200 Sixth Avenue  
Seattle, WA 98101

August 13, 2003

Via FAX Transmission  
503-224-6148 and First Mail

Reply To  
Attn Of: ORC-158

Clarence H. Greenwood, Esq.  
Black Helterline  
1900 Fox Tower  
805 Southwest Broadway  
Portland, OR 97205-3359

Re: Robert Kerivan, Howard Pickle and Bridgeview Vineyards, Inc.  
EPA Docket No. CWA-10-2003-0012

Dear Mr. Greenwood:

This letter responds to your letter to me dated August 12, 2003, in which you indicate that you have received the Galli Group Report that you had been waiting for. As indicated in the e-mail message I sent to you on July 22, 2003, EPA needed to receive the plan for removal of the channel-blocking structure as quickly as possible and presuming that the hydrologist's report contained such a plan, I asked you to forward a copy of the report to Yvonne Vallette as soon as you received it. My e-mail message also recommended that, if you had not already done so, you should contact the Army Corps of Engineers as soon as possible about applying for a nationwide permit to conduct bank stabilization activities. Contrary to the statement in your letter, I did not instruct you to wait to submit the report with the nationwide permit notification.

Please provide a copy of the Galli Group Report as quickly as possible to Yvonne Vallette. You should also provide Ms. Vallette with copies of any other reports you receive concerning this matter as soon as you receive them. As indicated in my letter to you dated June 26, 2003, your clients must still remove the channel-blocking structure during the in-water work window by September 15, 2003. Removal of this structure must occur prior to the end of the in-water work window, even if your clients have not received authorization to proceed with further bank stabilization activities and bank stabilization work has to wait until a future in-water work period.

Please contact me at 206-553-1810, if you have any questions concerning this letter.

Sincerely,

Deborah E. Hilsman  
Assistant Regional Counsel

cc: Yvonne Vallette, EPA OOO  
Jim Houseman, NOAA Fisheries  
Chuck Wheeler, NOAA Fisheries  
Niel Moeller, NOAA